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## Attorneys for Plaintiff

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF WASHINGTON

THOMAS A. WAITE,

**Plaintiff,**

THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS d/b/a CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, a Utah corporation, d/b/a CORPORATION OF THE PRESIDENT OF THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, a Utah corporation; DONALD C. FOSSUM; and STEVEN D. BRODHEAD.

No. CV-05-399-EFS

**PARTIES' STIPULATED  
MOTION TO CONTINUE  
EXPERT DISCLOSURE DATES**

## Defendants.

## **I. RELIEF REQUESTED**

Given the complexity of this motor vehicle accident case, the critical importance of the parties' expert evidence and the full schedules of trial counsel, the parties respectfully request the following changes to the current case Scheduling Order as to expert disclosure dates only:

EYMAN ALLISON FENNESSY HUNTER JONES

**PARTIES' STIPULATED MOTION TO CONTINUE  
EXPERT DISCLOSURE DATES-1**  
(stipulated motion to continue expert disclosure dates.wpd)

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1 Plaintiff's CR 26(a)(2) Expert Disclosures: from 11/5/06 to 11/20/06

2 Defense CR 26(a)(2) Expert Disclosures: from 1/6/07 to 1/22/07

3 Plaintiff's Rebuttal Disclosures: from 2/27/07 to 3/14/07

4 The parties agree that the September 17, 2007 trial date will remain firm.

## 5 **II. LOCAL RULE 37.1(b) COMPLIANCE**

6 All parties agree to this proposal.

## 7 **III. AUTHORITY**

8 The factual and legal bases supporting the requested relief are contained in the  
9 Memorandum of Points and Authorities filed in support of this Motion.

## 10 **IV. CONCLUSION**

11 Based on the good cause shown and on the parties' agreement, the plaintiff and  
12 defendants respectfully request the Court revise the Scheduling Order as set forth  
13 above.

14 A copy of the proposed Order Granting Parties' Stipulated Motion to Continue  
15 Expert Disclosure Dates is attached hereto.

16 DATED this 24th day of October, 2006.

17 EYmann Allison Fennessy Hunter  
18 Jones, P.S.

19 BY s/ Richard C. Eymann  
20 RICHARD C. EYMAN, WSBA #7470  
21 Co-counsel for Plaintiff

22 NORDSTROM & NEES, P.S.

23 BY Telephonically approved 10/23/06  
24 STEPHEN L. NORDSTROM, WSBA #11267  
25 Co-counsel for Plaintiff

26 **EYmann Allison Fennessy Hunter Jones**

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2 PAINE HAMBLEN COFFIN BROOKE & MILLER

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4 BY *Telephonically approved 10/23/06*

5 ANDREW C. SMYTHE, WSBA #7948  
Counsel for Defendant Brodhead

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7 WITHERSPOON KELLEY DAVENPORT & TOOLE

8

9 BY *Telephonically approved 10/24/06*

10 BRIAN T. REKOFKE, WSBA #13260  
11 Attorney for Defendants LDS Church  
12 and Donald C. Fossum

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EYMAN ALLISON FENNESSY HUNTER JONES

## CERTIFICATE OF SERVICE

I, RICHARD C. EYMANN, hereby certify that on the 24th day of October, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following participants:

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Witherspoon Kelley Davenport & Toole  
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s/Richard C. Eymann  
**RICHARD C. EYMAN**

EYMAN ALLISON FENNESSY HUNTER JONES